

Page No. 1  
02/27/95

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
INDUSTRIAL SUPPLY COMPANY

US EPA RECORDS CENTER REGION 5



557188

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
01099	06/00/86			STATEMENT OF DONALD E. GRAMSE	A STATEMENT OF E. GRAMSE, WHO IS A DRIVER FOR WACOIN AND RESPONSE TO QUESTIONS ASKED BY REPRESENTATIVES OF MPCA. THE DOCUMENT STATES HE HAULED SEMI-SOLIDS FROM FORDMC AND THE WASTE WAS DUMPED IN THE SAME MANNER AS COMMERCIAL RUBBISH AT THE WDE LANDFILL. THE DOCUMENT STATES HE HAULED INDSTE SLUDGES TO PIG' EYE.	FORDMC, INDSTE, WACOIN

STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL  
POLLUTION CONTROL DIVISION  
1935 WEST COUNTY ROAD B-2  
ROSEVILLE, MINNESOTA 55113

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In the Matter of:

Waste Disposal Engineering Landfill,  
City of Andover, Anoka County, Minnesota  
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The Statement of DONALD E. GRAMSE, taken  
before Vicki G. Kasten, a Notary Public in and for the  
County of Koochiching, State of Minnesota, taken on the 9th  
day of June, 1986, at 1935 West County Road B-2, Roseville,  
Minnesota 55113, commencing at approximately 3:00 p.m.

01100

## APPEARANCES

DENNIS M. COYNE, SPECIAL ASSISTANT ATTORNEY GENERAL,  
Pollution Control Division, 1935 West County Road B-2,  
Roseville, Minnesota 55113, appeared for and on behalf of  
the Attorney General of the State of Minnesota.

STEVEN Z. KAPLAN, ESQUIRE, of the law firm of HART,  
BRUNER, O'BRIEN & THORNTON, 1221 Nicollet Mall, Suite 700,  
Minneapolis, Minnesota 55403, appeared for and on behalf of  
the Witness.

ROBERT E. FALSTAD, ASSISTANT COUNSEL, Sperry  
Corporation, Defense Products Group, Sperry Park, P. O. Box  
64525, St. Paul, Minnesota 55164-0525, appeared for and on  
behalf of SW-28 Group.

MICHAEL KLUTHO, LAW CLERK, appearing for JOHN  
ANDERSON, ESQUIRE, of the law firm of BASSFORD, HECKT,  
LOCKHART & MULLIN, P.A., 3550 Multifoods Tower,  
Minneapolis, Minnesota 55402, appeared for and on behalf of  
Onan.

ALSO PRESENT: Nancy N. Misra, Solid and Hazardous  
Waste Division, Minnesota Pollution Control Agency.

01101

## INDEX

Examination by Mr. Coyne                      Page    4

## EXHIBITS

## GRAMSE STATEMENT EXHIBITS:

1 - Administrative Subpoena                      Page    5

2 - List of Companies                              Page 23

3 - Seniority List                                Page 28

DONALD EMIL GRAMSE,

the Witness in the above-entitled  
matter after having been first duly  
sworn testifies as follows:

EXAMINATION

BY MR. COYNE:

Q. Would you state your full name for the record,  
please.

A. Donald Emil Gramse.

Q. Mr. Gramse, I am Dennis Coyne and I represent  
the State of Minnesota Pollution Control Agency and the  
Attorney General's Office. We are investigating the Waste  
Disposal Engineering Landfill located in Anoka County. In  
the course of that investigation we have taken statements  
from many witnesses, including now today your own. In the  
course of the answers that you provide I would like you to  
give an oral answer, one that can be heard, so that the  
court reporter can take down your reply. In other words, a  
nod of the head will not be able to be recorded, so if you  
would always give a yes or a no or some other oral reply.  
Will you try to do that today?

A. Sure. Sure will.

Q. The other thing is if you don't understand a  
question that I'm asking you, if you would say so and then

01103

1 I'll make an effort to make my question clear. Would you  
2 do that?

3 A. Sure.

4 Q. Mr. Gramse, you were served with a subpoena in  
5 this matter, were you not?

6 A. Yes.

7 Q. I'm showing you a copy of the subpoena and I'm  
8 asking you if you can recognize that? Is this a copy of  
9 the subpoena which was served?

10 A. I don't have this here.

11 Q. The third page of what will be marked as your  
12 Exhibit Number 1 is a copy completed by the sheriff's  
13 office showing the person on whom the subpoena was served  
14 and the date of the service.

15 A. Oh, yeah, the girlfriend -- girlfriend took it.  
16 I see her name here. Yes, sir.

17 MR. COYNE: I'd like this subpoena to  
18 be marked as Gramse Exhibit Number 1.

19 (At this time Gramse Statement Exhibit  
20 1 was marked for identification by the  
21 Court Reporter.)

22 MR. COYNE: Mr. Falstad, you have  
23 something you would like to say on the record?

24 MR. FALSTAD: Yes. I'd like to state  
25 that I'm an attorney representing the Sperry Corporation

1 which is one of the 12 parties that has entered into a  
2 consent order with the Minnesota Pollution Control Agency  
3 and Environmental Protection Agency. I'd like to state  
4 that I'm simply attending this statement. I'm not  
5 participating and will not be asking any questions.

6 MR. KLUTHO: Same here.

7 BY MR. COYNE:

8 Q. Mr. Gramse, the subpoena has your home as 711  
9 North Oak Drive in Vadnais Heights. Is that your home?

10 A. That's correct.

11 Q. The sheriff's service statement says that  
12 service was made on the 30th of May. Is that the  
13 approximate date of service?

14 A. I don't remember.

15 Q. After the service of the subpoena, did you  
16 speak with Ron Roth?

17 A. Just told him that when I got the subpoena  
18 that I'd like to have legal -- a guy come with me to, you  
19 know -- what's going on, you know; I don't understand it --  
20 and get some legal advice.

21 Q. And what did he tell you?

22 A. He just would get me a legal advice and go and  
23 answer the questions.

24 Q. And did he refer you to Mr. Thornton's office  
25 and to Mr. Kaplan?

1           A.     Right.

2           Q.     Did Mr. Roth offer to pay your legal fees then?

3           A.     No.

4                   MR. KAPLAN: Well, we'll object to any  
5 question dealing with payment of legal fees on the grounds  
6 it's irrelevant and privileged.

7                   MR. COYNE: Was there an answer to the  
8 question that I asked the witness, the previous question?

9                   (Whereupon the requested portion of the  
10 record was read by the Court Reporter.)

11                  MR. KAPLAN: Well, I'll instruct the  
12 witness not to respond to the question for the grounds  
13 stated.

14 BY MR. COYNE:

15           Q.     Mr. Gramse, there are occasions when a lawyer  
16 will object to a question and there are other occasions  
17 when he will not only object but will also direct the  
18 witness not to answer. The witness, of course, is free to  
19 answer or not and so in this situation, Mr. Kaplan has made  
20 an objection and directed you not to answer the question;  
21 however, you are free to answer the question or not. And  
22 so, in this situation, I'll ask a follow-up question which  
23 is: will you follow the advice of Counsel and not answer  
24 the question regarding payment of fees?

25           A.     I'll just leave that up to my attorney.



1 Q. So you will follow his instruction?

2 A. Right.

3 Q. Now, in addition to speaking with Mr. Roth,  
4 did you speak to anyone else other than Mr. Thornton or Mr.  
5 Kaplan regarding your appearance here today?

6 A. No, sir.

7 Q. The subpoena, as you will note, Mr. Gramse,  
8 requires you to bring with you any documents that you may  
9 have and it details the kinds of documents that you should  
10 bring with you if you have them. And my question is  
11 whether you brought any documents with you today?

12 A. No, sir.

13 Q. Did you have any documents?

14 A. No, sir.

15 Q. Now, Mr. Gramse, you work for Waste Control  
16 today. Is that correct?

17 A. Yes.

18 Q. And their address is 95 Ivy Avenue West. Is  
19 that right?

20 A. Right.

21 Q. What kind of work do you do for Waste Control  
22 today?

23 A. I drive a -- what they call a Dino truck.  
24 It's a -- what do you call it -- just, you pick up these  
25 containers that go on a truck from various locations all

01107

1 the way around the Twin Cities. You know, you just get  
2 your paperwork in the morning and whatever company they  
3 give you, that's where you go, and take it to the landfill  
4 and take the box back to the company and go on to your next  
5 stop.

6 Q. The truck that you drive now is called a Dino  
7 truck or sometimes called a Dinosaur. Isn't that right?

8 A. Right.

9 Q. And is that a truck that compacts the waste?

10 A. No. No. That just hauls containers.

11 Q. Now, have you driven this Dino truck equipment  
12 for the last five years or so?

13 A. Yes, sir.

14 Q. Before that what sort of equipment did you  
15 drive?

16 A. I run a Dumpster.

17 Q. And the Dumpster has either a three to  
18 five-yard bucket, is that right, or an eight to ten-yard  
19 bucket?

20 A. Eight to ten-yard.

21 Q. So from time to time you'd carry a three to  
22 five-yard bucket and other times an eight to ten-yard  
23 bucket?

24 A. Yes, sir.

25 Q. When did you first begin to haul for Waste

1 Control or Berkman Iron and Scrap?

2 A. 1969 was when I started. I wasn't on Dumpster  
3 all the time. Once in awhile I'd work down in the junkyard  
4 and sort scrap for them and different things like that, and  
5 when somebody would call in sick, I'd go on a Dumpster now  
6 and then.

7 Q. So in 1969 you started work with Waste Control?

8 A. Waste Control.

9 Q. Now, prior to that time you had also worked  
10 with Berkman Iron and Scrap?

11 A. Berkman Iron and Metal, right.

12 Q. And what years was that?

13 A. I don't remember when they switched over from  
14 Berkman Iron to Waste Control. I believe when I come back  
15 in '69 was in with Waste Control. I don't remember if they  
16 still had the scrap yard going when I did come back in '69  
17 or not.

18 MR. COYNE: Let's just go off the  
19 record for a minute.

20 (At this time a discussion was held off the  
21 record.)

22 BY MR. COYNE:

23 Q. Mr. Gramse, while we've been off the record  
24 we've been summarizing your work experience and I'd like to  
25 go back then from the period from 1962 to 1967. What did

1 you do during that period?

2 A. From '62 to '67 I worked for Berkman Scrap  
3 Iron and Metal, at the Ford plant hauling cardboard to  
4 Waldorf Paper Company.

5 Q. And then what did you do from '62 to '67?

6 MR. KAPLAN: That was '62 to '67.

7 THE WITNESS: That was '62 to '67.

8 BY MR. COYNE:

9 Q. Sorry. '67 to '69?

10 A. I was self-employed.

11 Q. Now, what was the nature of the work that you  
12 did during that period while you were self-employed?

13 A. I run a truck for A & D Supergas for a little  
14 while and then I worked for Molin Concrete, and that was it.  
15 Then was two places I did work off and on.

16 Q. When you started work for Berkman Iron and  
17 Scrap in 1962, was that your first job?

18 A. That was my first job, yes.

19 Q. And before 1962 had you been going to school?

20 A. Right.

21 Q. And did you graduate high school?

m111 22

23 Q. What was your last year completed?

24 A. 11th.

25 Q. I want to talk about the period from 1962 to

01110

1 1967. And during that period you've mentioned the Ford  
2 plant?

3 A. Um-hmm.

4 Q. That's a yes or no, if you can?

5 A. Yes.

6 Q. And you said that you hauled cardboard and  
7 scrap? Is that right?

8 A. Just cardboard.

9 Q. What kind of equipment did you use?

10 A. We had three Ford dump trucks. We loaded and  
11 hauled them to Waldorf.

12 Q. Did you go to any other account in addition to  
13 the Ford plant during that period?

14 A. No.

15 Q. Then beginning in 1967 you worked with Waste  
16 Control?

17 A. Waste Control.

18 Q. And what kind of equipment did you use during  
19 that period?

20 A. To start, I worked in the scrap yard for John  
21 Berkman and I'd go on a Dumpster truck when somebody would  
22 call in sick or something, to start out with, and haul a  
23 few loads a week here and there.

24 Q. And from time to time did you haul waste to  
25 the Waste Disposal Engineering Landfill in Anoka County?

01111

1 A. Yes, sir.

2 Q. Just to go back a minute. This period was  
3 from 1969, was it, to the present when you worked with  
4 Waste Control?

5 A. Yes, sir.

6 Q. Can you recall some of the accounts whose  
7 waste you did haul to the Waste Disposal Engineering  
8 Landfill in Anoka County?

9 A. Oh, Ford Motor Company and Onan. And then it  
10 was various construction material from accounts.

11 Q. Let's begin first with the Ford account. What  
12 was the nature of the waste that you picked up from the  
13 Ford account?

14 A. It was semi-solid material from their paint  
15 booths and things like that. It was just scrapings that  
16 they scraped off of their paint booth and stuff that they  
17 loaded into this container that was dumped up in the  
18 landfill.

19 Q. What kind of containers were used to contain  
20 these semi-solids?

21 A. It was solid container with a slanted back  
22 that sat on a -- on a truck so to make sure that if it  
23 rained or something nothing would leak out or nothing.

24 Q. Does this kind of a container have a name to  
25 it?

01112

1 A. Just Dumpster.

2 Q. Now, what was the capacity of the Dumpsters  
3 that were used?

4 A. These out at the Ford plant was five yards.

5 Q. Were you the only one who picked up Ford Motor  
6 waste?

7 A. I don't know.

8 Q. Approximately how often during a week would  
9 you pick up from the Ford Motor account?

10 A. It ranged. Every week was different. It went  
11 on records and I have no way of knowing how much or how  
12 many times.

13 Q. Were there weeks when you did not pick up at  
14 all from the Ford account?

15 A. I believe so.

16 Q. And were there also weeks where you would pick up  
17 more than once during the week?

18 A. Yes.

19 MR. COYNE: Let's go off the  
20 record for a minute.

21 (At this time a discussion was held off the  
22 record.)

23 BY MR. COYNE:

24 Q. Mr. Gramse, while we've been off the record we  
25 have discussed the frequency of collection at the Ford

01113

1 plant with regard to these semi-solids that you have  
2 described. Is it a correct statement that some weeks you  
3 would pick up one five-yard Dumpster at the Ford plant?

4 A. Yes.

5 Q. And is it also true that other weeks you might  
6 not pick up anything at the Ford plant?

7 A. Yes.

8 Q. And is it also true that other weeks you would  
9 pick up more than one five-yard Dumpster of these  
10 semi-solids from the Ford plant?

11 A. Yes.

12 Q. The semi-solids that you have described were  
13 contained in this five-yard Dumpster. Is that correct?

14 A. Yes.

15 Q. How were they placed in the Dumpster?

16 A. It -- I don't know. When I went to the Ford  
17 plant it was already loaded and it would just come out in  
18 one big pile like a big pile of clay that was just a little  
19 soft but solid. It didn't run all over or nothing or that  
20 matter.

21 Q. So the semi-solids were loose in the five-yard  
22 Dumpster?

23 A. Not considered loose. It would come out in  
24 one big hunk like sticky clay or similar to that.

25 Q. Did the semi-solids have a smell?



01114

1 A. No, sir.

2 Q. Was there any color that they typically had?

3 A. No, sir.

4 Q. Now, these five-yard Dumpster loads of the  
5 semi-solids were taken to the Waste Disposal Engineering  
6 Landfill, were they?

7 A. Yes, sir.

8 Q. Describe what happened when you rolled in the  
9 WDE site in Anoka County, just step-by-step.

10 A. We'd pull through the gate, drive up to the  
11 window and sign your name and how many yards you had on and  
12 pull into the -- where they were dumping at the landfill  
13 site that day and dump your load and drive out.

14 Q. Were you directed to where to go to make the  
15 dump?

16 A. They directed us to the spot that they were  
17 dumping at that day.

18 Q. And who would give you those directions at the  
19 landfill?

20 A. Whoever was in the office window.

21 Q. Did you happen to know or know the name Red?

22 A. I know the name Red.

23 Q. Was there a fellow at the landfill who was  
24 referred to as Red?

25 A. Red, yeah. Yes.

01115

1 Q. Do you recognize the name Red St. Aoro?

2 A. No.

3 Q. Did this fellow who went by the name Red  
4 sometimes give you directions where to go?

5 A. Yes.

6 Q. Did he often give you the directions where to  
7 go?

8 A. No. It usually had office girl in the window.

9 Q. You know Ron Roth, don't you?

10 A. Yes.

11 Q. Did you sometimes see him at the landfill?

12 A. Yes.

13 Q. What did he do at the landfill on the  
14 occasions that you were there?

15 A. I have no idea. I just have seen him up there  
16 and we never talked, or very seldom have talked, if I did  
17 see him up there, unless he had some question to know where  
18 I was going next or what I had to do next.

19 Q. Did Ron Roth sometimes give you directions  
20 where to take your load?

21 A. Yes.

22 Q. In the same manner as Red would?

23 A. Yes.

24 Q. When you took your loads and dumped them you  
25 said that was in areas of landfill being worked that day?

01116

1 Is that right?

2 A. Yes.

3 Q. What kind of material was being dumped in the  
4 area where you were directed to dump?

5 A. It was commercial rubbish.

6 Q. Were you sometimes told to wait at the gate  
7 until other trucks were in a position or were you just  
8 directed to join other trucks that were dumping in the area?

9 A. You'd just drive in and wait your turn, wait  
10 to get up to the window to sign in and then just wait till  
11 they had room for you to back up next to the -- after they  
12 pushed it, the one that was left.

13 Q. Were other trucks dumping at the same time in  
14 the same area as you were dumping?

15 A. Yes.

16 Q. Was any special effort made to cover these  
17 semi-solids that you were bringing -- these semi-solids  
18 that you were taking into the landfill from Ford ahead of  
19 the wastes that were being deposited there by others?

20 A. No.

21 Q. So as far as you were concerned this waste  
22 that you were bringing in was just being landfilled like  
23 other commercial rubbish being dumped there?

24 A. Yes.

25 Q. Are you aware that there was an area at the

01117

1 landfill that was referred to as a hazardous waste pit?

2 A. Yes.

3 Q. And how did you learn about that?

4 A. Just when you drove in by the office you could  
5 see them putting these barrels, stacking these barrels into  
6 the pit at the right and I just asked a few questions what --  
7 what it was and they said that's where it was  
8 state-inspected for -- for liquid material, put in barrels.

9 Q. Were you ever directed to use the pit?

10 A. No.

11 Q. You mentioned that you saw Ron Roth from time  
12 to time at the WDE Landfill. Is that right?

13 A. Yes.

14 Q. Where did you first meet Mr. Roth?

15 A. When I worked for Waste Control and Joe  
16 Polansky sold him the business.

17 Q. Approximately what year would that be?

18 A. Possibly '71, '72.

19 Q. Is he the one who hired you to work for Waste  
20 Control when you went to work there in '69?

21 A. No.

22 Q. Who hired you then?

23 A. Joe Polansky. We just went along with the  
24 business.

25 Q. Referring to Mr. Roth?

01118

1 A. Right.

2 Q. Approximately over the years that you hauled  
3 the Ford account and transported these buckets of  
4 semi-solids, approximately how many loads did you take to  
5 the WDE Landfill from the Ford account?

6 A. In how long of a stretch of time?

7 Q. Well, you can answer the question as best you  
8 can. If you want to take it a number of years or the whole  
9 period of years.

10 A. I just have no way of knowing how to come with  
11 an answer with that. There's just no way of telling. I  
12 just can't remember back that far and how many loads were  
13 hauled.

14 MR. COYNE: Let's go off the record for  
15 a minute.

16 (At this time a discussion was held off the  
17 record.)

18 BY MR. COYNE:

19 Q. While we've been off the record you and I have  
20 discussed the number of loads that you picked up from the  
21 Ford account and deposited at the Waste Disposal  
22 Engineering Landfill and you've supplied to me how it is  
23 that you're unable to estimate the number of loads. My  
24 question is would you summarize those reasons for the  
25 record?

01119

1           A.     Well, I worked in the scrap yard and then go  
2 out to the Ford plant just once in awhile when they called  
3 to haul a load. And then I'd go back to the scrap yard and  
4 sometimes they'd go once a week and sometimes they'd go  
5 once every two weeks or -- there's just no way of telling  
6 how many loads have been hauled.

7           Q.     In addition to the Ford account, you mentioned  
8 that you sometimes also hauled waste from the Onan Company  
9 to the Waste Disposal Engineering Landfill. Is that right?

10          A.     Yes.

11          Q.     Did you begin hauling this account sometime  
12 after 1969?

13          A.     I believe so.

14          Q.     And what was the nature of the waste that you  
15 hauled for the Onan account?

16          A.     It was the same contents as Ford, from their  
17 paint booths and material like that.

18          Q.     Did you also use five-yard Dumpsters?

19          A.     Three-yard Dumpster.

20          Q.     Would you describe for us typically what would  
21 happen when you went to pick up at the Onan account, who  
22 you saw, what directions you received and then what you did  
23 with the waste.

24          A.     You'd pull in the Onan account and I'd back up  
25 to the container and load it on the truck and go in the

01120

1 office and whoever was working in the office would sign a  
2 slip saying one Dumpster load of sludge, and you'd go back  
3 to your truck, and took it out to Andover Landfill.

4 Q. And by Andover Landfill you mean the Waste  
5 Disposal?

6 A. Waste Disposal Landfill.

7 Q. And what typically would happen then when  
8 you'd roll up to the gate at the WDE Landfill?

9 A. You'd sign in and they would direct you to  
10 where they were dumping that day, and dump your load and  
11 drive out.

12 Q. So you'd follow the same procedure for the  
13 Onan waste as you did for the Ford waste with regard to how  
14 you dumped it at the Waste Disposal Landfill?

15 A. Yes.

16 Q. Did you ever dump the sludge at the hazardous  
17 waste pit?

18 A. No.

19 Q. Can you estimate the number of three-yard  
20 Dumpsters from the Onan account that were taken to the WDE  
21 Landfill over the years?

22 A. No.

23 Q. And is that for the same reasons generally?

24 A. Same.

25 Q. As you just described with regard to the Ford

01121

1 account?

2 A. Yes.

3 Q. Over what time period did you sometimes haul  
4 the Onan account?

5 A. I really can't remember.

6 Q. Do you recall the last time that you hauled  
7 from the Onan account?

8 A. No.

9 Q. In an effort to assist witnesses in their  
10 efforts to recall the accounts that they picked up from  
11 over the years, we have prepared a list of companies. And  
12 what I'm going to ask you to do is to check off beside the  
13 name of the company those companies that you recall picking  
14 up wastes and then transporting the waste to the WDE  
15 Landfill in Anoka County. I'm going to ask the court  
16 reporter to mark this as the Gramse Statement Exhibit  
17 Number 2, and then we'll give it to you and you can review  
18 the list if you would, and check mark those names as I've  
19 indicated.

20 (At this time Gramse Statement Exhibit  
21 2 was marked for identification by the  
22 Court Reporter.)

23 THE WITNESS: I guess the Ford Motor  
24 Company and Forman Ford Paints. Industrial Steel Container.  
25 I have hauled that one? Onan Corporation. The Rausch



01122

1 Manufacturing. That's all I can remember.

2 BY MR. COYNE:

3 Q. On the exhibit would you read off those that  
4 you have check marked now as companies from which you have  
5 collected waste for transport to the WDE site?

6 A. Okay. The Ford paints.

7 Q. And by that you mean the Forman Ford Paints?

8 A. The Forman Ford Paints.

9 Q. You also picked up from the Ford Motor Company?

10 A. Well, that Forman Ford Paints, ain't that the  
11 same as Ford Motor Company? I thought the Forman Ford  
12 Paint would be the paint side by the Ford Motor Company.

13 Q. Let me ask you this. Do you recall the  
14 approximate location of the Ford plant where you made the  
15 pickup?

16 A. They had changed it around different times,  
17 never was in the same place. Sometimes it was in the  
18 building, and sometimes they had it out behind the building.

19 Q. Do you know where the plant, though, itself is  
20 located?

21 A. Right.

22 Q. And where is that?

23 A. To start with you'd come through the gate and  
24 it would be in the, I believe it was Number 5 or 6 door,  
25 you'd back into to pick it up. It's been there to start

01123

1 with. And then from there they'd be adding on and adding  
2 on and every time they added on they'd move it.

3 Q. Is this the Ford plant?

4 A. Ford plant.

5 Q. And the plant is located on the Ford Parkway?

6 A. Ford Parkway.

7 Q. In St. Paul?

8 A. St. Paul.

9 MR. COYNE: Let's just go off the  
10 record for a minute.

11 (At this time a discussion was held off the  
12 record.)

13 BY MR. COYNE:

14 Q. While we've been off the record we've talked  
15 about where it is that you picked up the sludges from the  
16 Ford account and you have advised me that the sludges were  
17 picked up where the Ford Motor Company makes trucks and  
18 cars alongside the Ford Parkway in St. Paul. Is that right?

19 A. Yes.

20 Q. Now, when you talked about the Ford account,  
21 you talked about the Dumpster loads. Do you recall that?

22 A. Yes.

23 Q. Did you ever pick up waste in pails from the  
24 Ford account?

25 A. No.

01124

1 Q. Or buckets?

2 A. No.

3 Q. Or 55-gallon drums?

4 A. No.

5 Q. Do you know if ever anybody else did?

6 A. No.

7 Q. In addition to the Ford account what other  
8 accounts have you check marked on your Statement Exhibit  
9 Number 2?

10 A. Industrial Steel Container, Onan Corporation,  
11 and Rausch Manufacturing.

12 Q. Let's turn our attention to Industrial Steel  
13 Container. What did you pick up from Industrial Steel  
14 Container?

15 A. It was three-yard Dumpster that we hauled to  
16 Pigs Eye Landfill.

17 Q. And what was in the three-yard Dumpsters that  
18 you --

19 A. It was the same material as Ford and Onan had.

20 Q. By that do you mean paint sludges?

21 A. Paint. It was paint sludges that they burnt  
22 off of barrels and stuff that went in the container.

23 Q. Did you ever transport these paint sludges to  
24 the WDE Landfill?

25 A. Industrial Steel has never went to that, no.

01125

1 Q. When you say that Industrial Steel never went  
2 to the WDE Landfill, is it correct that they would direct  
3 you where to take their paint sludges for disposal?

4 A. Yes.

5 Q. And they directed you to take it to Pigs Eye?

6 A. Pigs Eye.

7 MR. KAPLAN: Who is the they?

8 THE WITNESS: Ron Roth or whoever was  
9 in the office.

10 BY MR. COYNE:

11 Q. When you got your assignment, that is the  
12 location to pick up the wastes, were you at the same time  
13 given direction as to where to take the waste after you  
14 picked it up?

15 A. Yes.

16 Q. And would Ron Roth often be the one to give  
17 you assignments?

18 A. No.

19 Q. But he sometimes did so?

20 A. Sometimes he'd be in the office when the  
21 dispatcher didn't show up or something like this or had to  
22 go somewhere, then Ron would take over the calls.

23 Q. Over the years when you worked for Waste  
24 Control from 1969 to present, who has filled the position  
25 of dispatcher at the company?

01126

1 A. There has been many.

2 Q. Can you recall some of those names?

3 A. Oh, golly, no.

4 Q. Is the fellow who does it currently someone  
5 that you know and can identify for the record?

6 A. The person in the office now has only been  
7 there a few months.

8 Q. Before that do you know who was in the  
9 position of dispatcher?

10 A. I can't remember. Nobody has lasted long.  
11 It's just been a driver gets hurt, he goes in the office to --  
12 the person in the office right now was hurt on the job and  
13 he's dispatching and there has been a Lee Hart was hurt on  
14 the job and he was dispatching for awhile. And Dave  
15 Aspinol has dispatched, and a lot of them guys. I just  
16 can't remember every --

17 Q. I have a list which is a partial list of some  
18 Waste Control employees and I'd like the court reporter to  
19 mark this list as the Statement Exhibit Number 3, and then  
20 I'll hand it to you and ask you if you recognize some of  
21 the people whose name is on this list as taking on the  
22 dispatcher job from time to time.

23 (At this time Gramse Statement Exhibit  
24 3 was marked for identification by the  
25 Court Reporter.)

01127

1 THE WITNESS: Mark Linscheid is in the  
2 office now.

3 BY MR. COYNE:

4 Q. What number does he have on there?

5 A. Number 13. Steve Schultz has dispatched.

6 Q. And what --

7 A. 27. Just them two on this list here.

8 Q. The last one that you mentioned was Steven  
9 Schultz?

10 A. Yes.

11 Q. Do you know approximately when he dispatched?

12 A. He's dispatching right now I believe.

13 Q. And the other name you mentioned was?

14 A. Mark Linscheid, right here.

15 Q. Number 13?

16 A. Number 13.

17 Q. Do you know approximately the years when he  
18 dispatched?

19 A. I believe he's only been there nine months.

20 Q. In addition to the three-yard Dumpsters picked  
21 up at Industrial Steel, did they ever provide other  
22 containers for wastes in addition to the three-yard  
23 Dumpsters?

24 A. They had loads of steel that we used to bring  
25 to the scrap yard.

01128

1 Q. Any 55-gallon drums?

2 A. No.

3 Q. Or pails?

4 A. No.

5 Q. Were empty drums ever transported from the WDE  
6 Landfill to Industrial Steel offices?

7 A. Not to my knowledge.

8 Q. Now, you mentioned the Onan account earlier  
9 this afternoon.

10 A. Yes.

11 Q. And you mentioned the transport of the  
12 Dumpsters with paint sludge. Do you recall that?

13 A. Yes.

14 Q. And my question is whether other containers  
15 were sometimes picked up by you, that is for example,  
16 55-gallon drums?

17 A. No.

18 Q. Or pails?

19 A. No.

20 Q. So it is a correct statement that the only  
21 containers that you picked up with the paint sludge were  
22 the Dumpster units?

23 A. Yes.

24 Q. Now, you've just described that the paint  
25 sludge from Industrial Steel went to Pigs Eye and that the

1 paint sludges from Ford and Onan went to the Waste Disposal  
2 site. Is that correct?

3 A. Yes.

4 Q. How did the dispatcher determine that the  
5 waste should go in some instances to one location for  
6 disposal and other instances to another location?

7 A. Well, when I took Ford up to the landfill,  
8 north landfill, if we had Onan, that was on the way coming  
9 back to take Onan up there too and then go back to Ford.  
10 Otherwise, the Ford Motor would go to Pigs Eye if Onan  
11 wouldn't go the same day.

12 MR. COYNE: Would you read back the  
13 last answer, please.

14 (Whereupon the requested portion of the  
15 record was read by the Court Reporter.)

16 BY MR. COYNE:

17 Q. Did you ever transport the paint sludges from  
18 Ford to Pigs Eye?

19 A. Yes.

20 Q. And is it correct that when you were hauling  
21 the Ford and Onan accounts on the same day you would take  
22 both accounts to the WDE Landfill?

23 A. Yes.

24 Q. At other times if you did not pick up the Onan  
25 account and only took the Ford account would you take the



01130

1 Ford account to Pigs Eye?

2 A. Yes.

3 Q. Did the Onan account ever go to Pigs Eye?

4 A. No.

5 Q. Was the Ford account closer so Pigs Eye than  
6 it was to WDE?

7 A. Yes. And it was closer to take Ford up to the  
8 north landfill if you were going to Onan at the same time.

9 Q. You've also check marked Rausch Manufacturing  
10 on the second page of Exhibit Number 2. Is that right?

11 A. Right.

12 Q. And what material did you pick up from the  
13 Rausch account?

14 A. That was like a silica sand and little water.

15 Q. And what kind of container was used to  
16 transport this material?

17 A. The same type of container as Ford and Onan.

18 Q. And the capacity?

19 A. Five yards.

20 Q. Five-yard Dumpsters?

21 A. Dumpster.

22 Q. And where did this material go?

23 A. That went to north landfill and Pigs Eye too.

24 Q. And by north landfill you mean the WDE?

25 A. WDE.

1           Q.     Typically when you took  
2     the WDE Landfill would you describe the  
3     you'd go through for disposal once you are  
4     Landfill?

5           A.     You'd pull through the gate, pull  
6     window, sign in and they'd direct you to where to  
7     dumping at that day and dump your load and go back  
8     company.

9           Q.     Did you ever dump these loads in the hazardous  
10    waste pit?

11          A.     No.

12          Q.     Did the silica sand have an odor to it?

13          A.     No.

14          Q.     Did it have a color?

15          A.     White.

16          Q.     What was its consistency?

17          A.     It was -- they made molds out of it to -- for  
18    die castings and material and it was just to hold -- a mold  
19    to hold the die cast together to different shapes and form.

20          Q.     When you unloaded the Dumpster at the landfill  
21    did it pour out like sand does?

22          A.     It was a dryer material, yes.

23          Q.     A dryer material than the paint sludges?

24          A.     No, about the same. Once in awhile it would  
25    stick. You'd have to take a shovel and shovel it out. It

01132

1 would cake up.

2 Q. Can you estimate the number of times that you  
3 transported these five-yard Dumpsters from the Rausch  
4 account to the WDE Landfill?

5 A. That went five days a week pretty steady.

6 Q. On a typical day how many Dumpsters would be  
7 transported?

8 A. One a day.

9 Q. Did you haul this account then every day?

10 A. Yes.

11 Q. Did others also from time to time service this  
12 account?

13 A. Yes, when I was on vacation and different  
14 times they had me doing something else, yes.

15 Q. Did this account only go to the WDE Landfill?

16 A. That went to Pigs Eye and different places too.

17 Q. How is it that it sometimes went to other  
18 places other than the WDE Landfill?

19 A. It was up to the office to dispatch where they --  
20 what side of town they wanted you to go in case they had a  
21 construction load up north or wherever your next load would  
22 have been.

23 Q. Is it correct that the office then made the  
24 decisions where the waste would be taken for disposal?

25 A. Yes.

01133

1 Q. As you look through this list which is Exhibit  
2 Number 2, are there other companies or locations from which  
3 you transported waste to the WDE Landfill?

4 A. No.

5 Q. You'll notice on the first page of the exhibit  
6 there is reference to Federal Cartridge Corporation. That  
7 is the Twin Cities Army Ammunition Plant. Did you  
8 sometimes pick up wastes at the Twin Cities Army Ammunition  
9 Plant?

10 A. No.

11 Q. In addition to this list of companies and  
12 people who are set out on Exhibit Number 2, are there other  
13 accounts from which you transported waste to WDE Landfill  
14 in Anoka County? Locations, companies or people that are  
15 not on this list?

16 A. No.

17 MR. KAPLAN: Could I have your question  
18 one more time, Dennis? I'm sorry.

19 BY MR. COYNE:

20 Q. Maybe I can say it a bit more clearly. You  
21 have testified that insofar as people and companies are  
22 named on Exhibit Number 2, you check marked the ones from  
23 which you picked up waste and took the waste to WDE.

24 A. Right.

25 Q. My question is are there companies or people

01134

1 or locations from which you picked up wastes, took it to  
2 WDE landfill which are not on our list, Exhibit Number 2?

3 A. Not to my knowledge.

4 Q. One of the companies on this list is the Foley  
5 Manufacturing Company. Did you ever pick up any wastes at  
6 Foley?

7 A. No.

8 Q. Have you ever in the course of your years of  
9 employment picked up barreled wastes and transported them  
10 to a landfill for disposal?

11 A. No.

12 Q. Did others working for Waste Control sometimes  
13 transport barreled wastes for disposal?

14 A. Yes.

15 Q. As you look at, for example, Exhibit Number 3,  
16 can you identify some people who you know did transport  
17 liquid waste for disposal?

18 A. I really don't remember anybody who did do it.  
19 I just seen drums up to north landfill that they were  
20 putting in the pit. I don't know who hauled them up there  
21 or where they come from.

22 Q. When you observed the pit, what did you  
23 observe? What was going on in those times when you saw the  
24 pit and the activities?

25 A. They had a truck with a boom on it that they

01135

1 had a strap around the barrels and set them on -- one on  
2 top of another and cover them with sand, I believe it was,  
3 or they had -- the state inspectors were there watching the --  
4 the situation, what was being put in and how it was handled.

5 Q. How do you know that state inspectors were out  
6 there?

7 A. They had "State of Minnesota" on the car doors.

8 Q. So you saw some State of Minnesota vehicles  
9 from time to time?

10 A. Time out there, yes.

11 Q. Did you ever see 55-gallon drums at the WDE  
12 site at locations other than alongside the pit or in the  
13 pit?

14 A. No.

15 Q. Did Waste Control ever operate a transfer  
16 station?

17 A. Not to my knowledge.

18 Q. You know what a transfer station is?

19 A. To dump garbage in one place and haul it out.  
20 Not to my knowledge.

21 Q. Have other drivers for Waste Control been to  
22 the WDE Landfill in addition to yourself?

23 A. Yes.

24 Q. And who are among those that you're aware of  
25 as having been out at the WDE site?

01136

1           A.     John Bolin, I believe.

2           Q.     Now, you're referring to the list of people,  
3     for example, on Exhibit 3, right?

4           A.     Right.

5           Q.     And John Bolin is Number 7 on that list, is he?

6           A.     Yes. I don't know some of these guys here.  
7     That's the only one really that I recognize that I have  
8     seen up there.

9           Q.     Now, how do you place John Bolin at the WDE  
10    site?

11          A.     I really don't know. He hauled these 40-yard  
12    packer boxes. Where they come from, I don't know, or --

13          Q.     When you saw John Bolin at the WDE site, you  
14    saw him with a 40-yard --

15          A.     Packer box.

16          Q.     Did you ever see him transporting drums?

17          A.     No.

18          Q.     In addition to John Bolin, do you recall  
19    seeing any other Waste Control driver at the WDE Landfill?

20          A.     Not right offhand. We all have been there,  
21    but like I say, I didn't get there every day and know  
22    everybody that has been up there.

23          Q.     What I'd like to do is get a description as  
24    complete as we can of the paperwork that was involved with  
25    the disposal of waste. Can you describe for us from the

01137

1 beginning through the end what was the nature of the  
2 paperwork that was used when wastes were disposed of?

3 A. It was a tablet form paper with lines on it  
4 where you'd sign your name and how many yards you had. And  
5 that was it.

6 Q. Were you given this tablet information when  
7 you reported to the dispatcher?

8 A. No. That would come from the landfill. You  
9 report to the landfill window and get this sheet of -- you  
10 get the tablet and you sign your name and how many yards  
11 you had and then you'd hand it back in the window.

12 Q. So that paperwork was completed at the  
13 landfill?

14 A. At the landfill.

15 Q. Did you keep a copy of the paperwork that you  
16 completed at the landfill?

17 A. No.

18 Q. When you got your assignments from the  
19 dispatcher did you have any kind of paper then?

20 A. You just have a slip of paper with the  
21 companies on it and some days you'd get one load, some days  
22 you get two and then when you'd get that done you'd call in.

23 Q. The paper that you were sometimes given by the  
24 dispatcher, did that have the place where other wastes were  
25 supposed to be transported?



01138

1 A. Yes.

2 Q. Did you hand in any paper back to the  
3 dispatcher or back to the Waste Control company?

4 A. You'd have a Waste Control book and you'd have  
5 your receipts, daily receipts.

6 Q. And by receipts, what do you mean?

7 A. From the companies that signed that you have  
8 hauled the loads.

9 Q. What information was in the Waste Control book?

10 A. It just had the company's name, address, and  
11 then they would have the telephone number and then you'd  
12 just write in there whatever you hauled, how many yards you  
13 hauled and you'd get a signature from the company you  
14 hauled it from.

15 Q. Would that be the receipt you referred to?

16 A. The receipt you hand in. That was the only  
17 paperwork that was handed in.

18 Q. Is it the same kind of paperwork that you go  
19 through today?

20 A. Yes, sir.

21 MR. COYNE: I'd like to take just a  
22 brief break and we'll finish up.

23 (At this time a brief recess was taken.)

24 BY MR. COYNE:

25 Q. Mr. Gramse, is there any part of your

01139

1 statement that you've given this afternoon which you would  
2 like to clarify or correct?

3 A. No.

4 Q. You have the opportunity to read and sign the  
5 transcript. You may also waive the reading and the signing.  
6 Have you made a decision in that regard?

7 A. I'll just waive it.

8 MR. COYNE: Thank you for appearing  
9 today in response to the subpoena that was issued to you.

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01140

1 STATE OF MINNESOTA )  
2 ) SS.  
3 COUNTY OF KOCHICHING )

4 Be it known that I took the statement of DONALD EMIL  
5 GRAMSE, on the 9th day of June, 1986, at Roseville,  
6 Minnesota;

7 That I was then and there a Notary Public in and for  
8 the County of Koochiching, State of Minnesota, and that by  
9 virtue thereof, I was duly authorized to administer an  
10 oath;

11 That the witness before testifying was by me first  
12 duly sworn to testify the whole truth and nothing but the  
13 truth relative to said cause;

14 That the testimony of said witness was recorded in  
15 Stenotype by myself and transcribed into typewriting under  
16 my direction, and that the statement is a true record of  
17 the testimony given by the witness to the best of my  
18 ability;

19 That the reading and signing of the deposition by  
20 the witness and the Notice of Filing were waived.

21 WITNESS MY HAND AND SEAL this 17th day of June,  
22 1986.

23 \_\_\_\_\_  
24 Vicki G. Kasten  
25 Court Reporter